

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CECIL JOHNSON)
Plaintiff,)
v) No. 3:09-1139
DR. BRUCE LEVY, in his official capacities)
as the Chief Medical Examiner for the)
State of Tennessee and Medical)
Examiner for the Metropolitan)
Government of Nashville and)
Davidson County, Tennessee; and)
RICKY BELL, in his official capacity as)
Warden, Reverend Maximum)
Security Institution.)

DEATH PENALTY CASE
EXECUTION DATE 12/2/09 at 1:00 a.m.

AMENDMENT TO COMPLAINT

Plaintiff Cecil Johnson hereby files this amendment to his complaint, filed on December 1, 2009, that any autopsy would violate a sincere religious belief held by Mr. Johnson, pursuant to 42 U.S.C. § 1983. Petitioner incorporates all factual and legal allegations in his previous pleadings herein and amends the complaint to add the following additional claims:

U.S. Const. Amendment XIV

1. Plaintiff Cecil Johnson has fundamental and traditional rights to personal autonomy, bodily integrity, freedom from unwanted touching and viewing by others, personal human dignity, privacy, and to make decisions about his own body, including its handling upon death, and to prevent unnecessary mental suffering and anguish for his next-of-kin. Those rights are protected by the due process clause of the Fourteenth Amendment.

2. Defendants proposed actions violate Cecil Johnson's rights under the Fourteenth Amendment, including substantive due process.

U.S. Const. Amendment IX

3. Cecil Johnson has fundamental and traditional rights to personal autonomy, bodily integrity, freedom from unwanted touching and viewing by others, personal human dignity, and to make decisions about his own body, including its handling upon death, and to prevent unnecessary mental suffering and anguish for his next-of-kin. Those rights are protected by the Ninth Amendment.

4. Defendants proposed actions violate Cecil Johnson's rights under the Ninth Amendment.

Respectfully submitted,



Donald E. Dawson, BPR #010723
POST-CONVICTION DEFENDER
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CERTIFICATE OF SERVICE

I certify that on December 1, 2009, I sent a copy by email of the foregoing to:

Bob Cooper via Pam Lorch
ATTORNEY GENERAL AND REPORTER
500 Charlotte Avenue
Nashville, Tennessee 37243; and

Sue B. Cain via Lora Fox
Director of Law
Law Department for the Metropolitan Government of
Nashville and Davidson County, Tennessee
225 Polk Avenue - Suite 210
Nashville, Tennessee 37203

A handwritten signature in black ink, appearing to read "Sue B. Cain", is written over a horizontal line.